



PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 150-1	Subject: DOC COMMITMENTS
Reference: DOC 1.5.9; DOC 4.6.3 41-5-206, MCA ; 41-5-2503, MCA ; 41-5-2510, MCA ; 46-18-201, MCA ; 46-23-201, MCA ; 46-23-1004, MCA ; 53-1-201, MCA ; 53-30-302, MCA ; 53-30-403, MCA ; 61-8-731, MCA	Page 1 of 4
Effective Date: 10/29/01	Revision Dates: 12/03/01; 06/17/02; 09/10/02; 01/13/03; 03/14/03; 07/21/03; 03/06/04, 03/01/05; 08/01/05; 02/15/06; 02/02/07; 08/20/07; 04/22/08; 03/15/10
Signature / Title: /s/ Ron Alsbury	

I. BUREAU DIRECTIVE:

Probation & Parole Bureau employees will follow established procedures for the appropriate placement of felony offenders committed to the Department of Corrections, including criminally convicted youth.

II. DEFINITIONS:

Adult Community Corrections Division (ACCD) Program/Facility – The Division includes Probation and Parole, Interstate Compact, and the following programs and facilities: Day Reporting Program (DRP), Enhanced Supervision Program (ESP), Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), WATCH Program (WATCH), Connections Corrections Program (CCP), Passages Alcohol and Drug Treatment (Passages ADT), Intensive Supervision Programs (ISP), Missoula Assessment and Sanction Center (MASC), Passages Assessment, Sanction & Revocation Center (Passages ASRC), NEXUS Correctional Treatment Center (NEXUS), Elkhorn Treatment Center (Elkhorn), and Treasure State Correctional Training Center (TSCTC).

Certified Copy – A copy of certified judgments or information that contains the raised imprint of the Clerk of Court stamp. Photocopies of certified documents that do not contain the raised imprint are not considered a certified copy for the purposes of this procedure.

Criminally Convicted Youth – Any youth who is convicted in (adult) district court pursuant to §41-5-206 and §41-5-1601, MCA.

DOC Commitment – A commitment by the district court of an adult offender or criminally convicted youth for placement in a state correctional facility or program operated by the Department of Corrections (DOC) or under the authority of the DOC pursuant to §46-18-201(3)(d)(i), MCA.

Prison – Montana State Prison (MSP), Montana Women's Prison (MWP), Great Falls Regional Prison, Dawson County Correctional Facility, and Crossroads Correctional Center.

III. PROCEDURES:

Offenders sentenced by a district court judge to the Department of Corrections (DOC) will be immediately placed in the county jail (unless prior screening has been completed, or if the sentence has been stayed pending placement) until the person is properly assessed and classified by the Regional

Procedure No.: 150-1	Section : Community Correctional Program	Page 2 of 4
Subject: DEPARTMENT OF CORRECTIONS (DOC) COMMITMENTS		

Administrator (RA) and/or Probation & Parole Officer II (POII) and the Probation & Parole Officer (Officer) for appropriate placement in an ACCD program/facility.

Officer will complete *P&P 150-1(A) Notification of Offenders Committed to DOC or MSP/MWP* and e-mail the form to the appropriate staff depending upon the placement(s) made. All DOC, MSP and MWP sentences will be entered into the Offender Management Information System (OMIS) within 48 hours of the day of sentencing.

A. Determining Appropriate Offender Placement

Officers shall recommend the appropriate placement to the RA/POII after:

1. Interviewing the offender;
2. Discussing case with the last supervising Officer or PSI writer;
3. Reviewing appropriate paperwork, which may include:
 - *P&P 30-1(B) Pre-Sentence Investigation*
 - File Reports
 - Mental Health Evaluations
 - *P&P 100-1(A) Reports of Violation*
 - Jail Reports
 - DOC Placement/Release Form
 - Risk and Needs Assessment

Placement options include ACCD programs/facilities or other approved or contracted program as outlined in *P&P 150-1.1 Adult Community Corrections Division Program/Facility Guide*, and MSP or MWP. See *P&P 150-1(B) Offender Sentences & Placement Options*.

The RA/POII will review and assess the case for placement options with the Officer. Once a decision has been made, the RA/POII will complete *P&P 150-1(C) Initial Screening & Placement Warrant* and forward to the detention facility housing the offender. The detention facility will move the offender once a transportation authorization is issued from the Contract Bureau at MSP. When an override has been approved for the offender to be sent directly to prison, and a certified court order has not been received, *P&P 150-1(D) Verification of Commitment* must be completed and forwarded to MSP/MWP Records Department. It is the responsibility of the Officer to ensure that a certified court order is forwarded to Prison Records when received.

In the event that none of the placement options are deemed appropriate or timely (within 2 weeks), male offenders will be placed at MASC and female offenders placed at Passages ASRC for further classification. If a bed date has been established in an ACCD program/facility within a reasonable amount of time (2 weeks), the offender may be held in jail pending placement.

When any offender is sentenced to DOC, a packet of the following information will be sent directly to MSP/MWP Records:

- Copy of *P&P 30-1(B) Pre-Sentence Investigation*;
- The certified judgment, including all certified deferred or suspended judgments pertaining to the cause number as obtained;
- A certified copy of the Information (required if offender's initial placement is MSP/MWP);
- *P&P 150-1(D) Verification of Commitment* (if the certified judgment has not yet been received);
- Copy of *P&P 100-1(A) Report of Violation* (if applicable);
- One (1) set of fingerprints;
- Basic Information Sheet;

Procedure No.: 150-1	Section : Community Correctional Program	Page 3 of 4
Subject: DEPARTMENT OF CORRECTIONS (DOC) COMMITMENTS		

- Photograph; and
- If placed on ISP, copy of signed *P&P 150-1.1(A&B) Conditions of ISP*.

When any offender is sentenced to DOC and will be placed at MASC, the following information will be sent to MASC electronically:

- *P&P 150-1(A) Notification of Offenders Sentenced to DOC or MSP/MWP*;
- *P&P 150-1(D) Verification of Commitment*;
- Copy of *P&P 30-1(B) Pre-Sentence Investigation*;
- Copy of *P&P 100-1(A) Report of Violation* (if applicable); and
- The offender's field file needs to be forwarded to MASC.

B. DOC Override Procedure

1. When the RA/POII determines that a DOC offender is not a viable candidate for community placement and MSP/MWP is the most appropriate option for the offender, the RA/POII will:
 - a. Fax or email *P&P 150-1(A) Notification of Offenders Sentenced to DOC or MSP/MWP*, including a brief statement of the form explaining why the override is being requested, *P&P 150-1(D) Verification of Commitment* or certified court order, and the PSI and ROV to the MASC/Passages ASRC coordinator to discuss an override on the offender.
 - b. If the coordinator concurs with the override, he/she will complete *P&P 150-1(E) MSP/MWP Override and Referral Form* and forward it to the ACCD Administrator for discussion. If the coordinator rejects the override recommendation, the RA or POII can request a discussion and review with the ACCD Administrator.
 - c. If the final decision is for an override, the MASC/Passages ASRC coordinator will make arrangements with the Contract Placement Bureau Administrative Officer and Admissions Officer at MSP/MWP.
 - d. The RA/POII will complete *P&P 150-1(C) Initial Screening & Placement Warrant* for the placement determined and forward to the appropriate parties.
2. The following situations will not require an override to place at MSP/MWP:
 - a. If an offender sentenced as 4th or Subsequent DUI was screened and denied placement at WATCH, the RA/POII can screen directly to MSP/MWP as the only other placement option.
 - b. If an offender was previously at the MASC/Passages ASRC assessment program (does not include offender placed in the sanction part of the program).
 - c. If an offender was incarcerated in prison and was transferred to court to deal with pending charges and receives a DOC commit, the RA/POII can screen directly back to prison.
 - d. If an offender is in a community-based placement or on conditional release status and violates, the offender cannot be placed at the MASC/Passages ASRC assessment program. This does not apply to the 30-day sanction program.
3. Once placement has been determined and an offender file has been put together with all relevant documents, the file will be forwarded to the appropriate location. See *P&P 150-1(F) Where Files Go*.

Procedure No.: 150-1	Section : Community Correctional Program	Page 4 of 4
Subject: DEPARTMENT OF CORRECTIONS (DOC) COMMITMENTS		

C. ISP Monthly Reporting

In addition to the Monthly Caseload Report, each ISP Team will submit *P&P 150-1.1(R) ISP Monthly Report* to the P&P Bureau Chief, BOPP, and DOC Program Evaluation and Statistics.

D. Criminally Convicted Youth Reporting

The DOC must submit *P&P 150-1(G) Report for Criminally Convicted Youth* until a criminally convicted youth is 21 years old or out of custody and off supervision. The *Report* is due on the first of the month following the first full six (6) months of the offender's sentencing and every six (6) months thereafter.

1. If the youth is on probation or parole, the supervising Officer will prepare the *Report* that includes the following:
 - a. a brief statement of the offender's conviction and sentence;
 - b. a brief overview of the offender's movement history in the past six (6) months;
 - c. the treatment and self-improvement classes in which the offender has engaged in the past six (6) months;
 - d. the work or schooling in which the offender has engaged in the past six (6) months;
 - e. the offender's incarceration disciplinary history and /or history of compliance with probation and parole conditions;
 - f. the date on which the offender will turn age 21; and
 - g. the writer's opinion about whether the offender has been substantially rehabilitated.
2. The Officer will submit the *Report* electronically to the court, county attorney, defense attorney, and the youth probation officer. A copy of the report is placed in offender's file.

IV. CLOSING:

Questions concerning this procedure shall be directed to the RA or designee.

Forms

P&P 150-1 (A)	Notification of Offenders Sentenced to DOC or MSP/MWP
P&P 150-1 (B)	Offender Sentence & Placement Options
P&P 150-1 (C)	Initial Screening & Placement Warrant
P&P 150-1 (D)	Verification of Commitment
P&P 150-1 (E)	MSP/MWP Override and Referral Form
P&P 150-1 (F)	Where Files Go
P&P 150-1 (G)	Report for Criminally Convicted Youth
P&P 150-1.1 (A&B)	Conditions of ISP
P&P 150-1.1 (R)	ISP Monthly Report
Fingerprint Card	(available from MSP or local office-not on computer)
MSP/MWP	Basic Information Sheet

Formerly

150-1 (Q)
150-1 (GG)
150-1,2 &3 (P)
150-1 (S)
150-1 (EE)
150-1 (FF)
150-1 & 150-1,2 &3 (A&B)
150-1,2 &3 (R)